~~TOP SECRET//COMINT//ORCON//NOFORN//20291123~~

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

15 August 2006

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that any intelligence activities of the National Security Agency during the quarter ending 30 June 2006 were unlawful or contrary to Executive Order or Presidential Directive, and thus required to be reported pursuant to Section 1.7.(d) of Executive Order 12333.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by means of inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

JOEL F. BRENNER
Inspector General

ROBERT L. DEITZ
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
Lieutenant General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

This Memorandum is Unclassified
Upon Removal of Enclosure

DERIVED FROM: NSA/CSSPM 1-52
DATED: 23NOV04
DECLASSIFY ON: 20291123

1. (U) INSPECTOR GENERAL ACTIVITIES

a. ~~(C//SI)~~ During this quarter, the Office of Inspector General (OIG) reviewed various intelligence activities of the National Security Agency/Central Security Service (NSA/CSS) to determine whether they were conducted in accordance with applicable statutes, Executive Orders (E.O.s), Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

b. ~~(TS//SI//NF)~~ In the first quarter fiscal year 2006 (report dated 28 February 2006) we reported misuse of the U.S. SIGINT System. An investigation substantiated the allegation that an NSA employee used the SIGINT System to target his foreign girlfriend in [redacted] The matter has been referred to the NSA Office of Security, Office of Employee Relations and the Office of General Counsel (OGC) for appropriate action. (b)(3)-P.L. 86-36

2. (U) GENERAL COUNSEL ACTIVITIES

~~(C//SI)~~ The NSA/CSS OGC reviewed various intelligence activities of the NSA/CSS to determine whether they were conducted in accordance with applicable statutes, EOs, AG procedures, and DoD and internal directives. The OGC advised Agency elements on a number of questions, including the collection and dissemination of communications of, or concerning U.S. persons; the reporting of possible violations of federal criminal law contained in Signals Intelligence (SIGINT) product; the testing of electronic equipment, and the applicability of the Foreign Intelligence Surveillance Act (FISA). With few exceptions, the issues presented were routine and indicated that the operating elements understand the restrictions on NSA/CSS activities.

3. (U) SIGINT ACTIVITIES

a. ~~(S//SI)~~ Collection Against U.S. Persons

(1) (U) Intentional

a. ~~(TS//SI)~~ During this quarter, the Director, NSA/Chief Central Security Service (DIRNSA/CHCSS) granted approval for consensual collection against [redacted] U.S. persons. DIRNSA/CHCSS also approved non-consensual collection of [redacted] U.S. companies [redacted] U.S. organization believed to support terrorist activity, [redacted] agents of foreign powers [redacted] U.S. citizens believed to have been held against their will [redacted] (b) (1) (b) (3)-P.L. 86-36

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[redacted] U.S citizen taken hostage by [redacted] and [redacted] U.S. military members believed to be held captive by a foreign power or group engaged in international terrorist activities. DIRNSA/CHCSS-approved consensual collection against [redacted] U.S. persons was routinely terminated this quarter. (b) (1) (b) (3)-P.L. 86-36

b. (S//SI) The AG granted authority to collect the communications of [redacted] U.S. persons overseas during this quarter.

(2) (U) Unintentional

(S//SI//NF) This quarter, there were [redacted] instances in which SIGINT analysts inadvertently collected communications to, from, or about U. S. persons while pursuing foreign intelligence tasking. All of the incidents were reported to responsible oversight officials, and corrective actions were taken.

b. (U//FOUO) Dissemination of U.S. Identities

(1) (U) Intentional

(S//SI) In accordance with section 7 of United States Signals Intelligence Directive (USSID) SP0018, U.S. identities were disseminated [redacted] times during this quarter. The following table shows the justification and the number of instances of dissemination. In the "Unmasked by Analyst" column, the U.S. identity was revealed in a serialized end product; in the "Unmasked at User Request" column, a U.S. identity was released to a user at the user's request.

JUSTIFICATION	Unmasked by Analyst	Unmasked at User Request	TOTAL
7.2.c Necessary			
7.2.c.1 Foreign Official			
7.2.c.3 International Narcotics			
7.2.c.4 Criminal Activity			
7.2.c.7 U.S. Government Official			
TOTAL			

(b) (1) (b) (3)-P.L. 86-36

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(b)(1)
(b)(3)-P.L. 86-36

(2) (U) Unintentional

a. ~~(S//SI)~~ During this quarter, [redacted] SIGINT products were cancelled because they contained the identities of U.S. persons, organizations, or entities. In all instances, the reports were either not reissued or were reissued with the proper minimization.

b. In one instance [redacted] an electronic mail (e-mail) containing the name of a U.S. person was shared with the [redacted] The e-mail was successfully recalled [redacted]

(3) (U) Raw Traffic Dissemination — SIGINT Production Chain

~~(S//SI)~~ [redacted] The SID ensures that the personnel are trained by the OGC on NSA/CSS's legal restrictions and on proper handling and dissemination of SIGINT data [redacted] Such persons working in or with SID during this quarter included representatives of [redacted]

(b)(1)
(b)(3)-P.L.

(b)(3)-P.L. 86-36

4. (U) Other Activities

a. (U//~~FOUO~~) Unauthorized Access

(1) ~~(TS//SI//REL)~~ [redacted] analysts outside of the SIGINT production chain had access to unminimized metadata. [redacted]

(b)(3)-P.L. 86-36

(2) ~~(TS//SI//OC//NF)~~ [redacted] reported a computer security violation to the NSA/CSS [redacted] In the conduct of their mission [redacted] analysts accessed NSA sensitive databases without training or proper authorization. At least one of the databases that may have

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(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

been accessed contains U.S. person information. An investigation by the NSA Information System Incident Report Team (NISIRT) is ongoing. The NSA/CSS OIG will report further when the NISIRT investigation is completed.

(b)(3)-P.L. 86-36

(3) ~~(S//SI)~~ U.S. person information was improperly shared with the . A counterterrorism analyst forwarded a document containing information about a U.S. person and U.S. businesses (b)(1) (b)(3)-P.L. 86-36 Within hours of discovering the violation, the document was destroyed. The information had not been further disseminated while in

b. (U//~~FOUO~~) Foreign Intelligence Surveillance Act (FISA) Incidents

(1) ~~(TS//SI//NF)~~ On occasions, we learned of the unintentional collection of persons in the United States In all cases the collection was destroyed in accordance with USSID SP0018.

(2) ~~(TS//SI//NF)~~ An analyst targeted no longer covered by a FISA order. (b)(1) P.L. 86-36 18 USC 798 50 USC 3024(i)

instances of unauthorized collection. There were no reports published on the collection. and the OIG will track the action until destruction is confirmed. As of were added into the FISA order.

(b)(1)
(b)(3)-P.L. 86-36

(3) ~~(TS//SI//NF)~~ Unaware that the NSA Office kept e-mail addresses on coverage after the The e-mail addresses were detasked as they were discovered (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

(4) ~~(TS//SI//NF)~~ discovered that metadata associated with previously processed voice had not been purged in accordance with FISA retention requirements. This was discovered when the and

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(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

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(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(b)(3)-P.L. 86-36

over [redacted] reports were [redacted] to the [redacted] database. Software changes were made [redacted]

(b)(1)
(b)(3)-P.L. 86-36

d. (U) Assistance to Law Enforcement

~~(S//SI)~~ During this quarter, the SID responded to [redacted] request for linguistic support and [redacted] for technical assistance from [redacted] Technical support was also provided once to the [redacted]

e. (U) Working Aids

(U//~~FOUO~~) The SID Office of Oversight and Compliance maintains "U.S. Identities in SIGINT" and a matrix of dissemination authorities on its web page for use by the NSA/CSS Enterprise. The E.O., NSA/CSS Policy Number 1-23, DoD Regulation 5240.1-R, and USSID SP0018 are also available on-line.